



**Service of Process
Transmittal**

03/07/2019

CT Log Number 535049050

TO: Kim Lundy Service of Process, Legal Support Supervisor
Walmart Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: Process Served in Ohio

FOR: Walmart Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Brown Teresa, Pltf. vs. Walmart, Inc. and Ohio Department of Medicaid, Dfts.

DOCUMENT(S) SERVED: Summons, Attachment(s), Complaint

COURT/AGENCY: Hamilton County Court of Common Pleas, OH
Case # A1901092

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 07/06/2018 -
Walmart Store, 8451 Colerain Avenue, Cincinnati, Hamilton County, OH 45239

ON WHOM PROCESS WAS SERVED: C T Corporation System, Columbus, OH

DATE AND HOUR OF SERVICE: By Certified Mail on 03/07/2019 postmarked: "Not Post Marked"

JURISDICTION SERVED : Ohio

APPEARANCE OR ANSWER DUE: Within 28 days after service, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Michael D. Weisensel
Law Offices of Blake R. Maislin, LLC
2215 Arbor Blvd.
Moraine, OH 45439
937-444-4444

ACTION ITEMS: CT has retained the current log, Retain Date: 03/07/2019, Expected Purge Date:
03/12/2019

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 4400 Easton Commons Way
Suite 125
Columbus, OH 43219
TELEPHONE: 617-531-5859

AFTAB PUREVAL
1000 MAIN STREET ROOM 315
CINCINNATI OH 45202
COMMON PLEAS CIVIL
A 1901092 D 1

Case: 1:19-cv-00247-SJD-SKB Doc #: 1-1 Filed: 04/04/19 Page: 2 of 8 PAGEID #: 8

CERTIFIED MAIL

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FIRST-CLASS MAIL

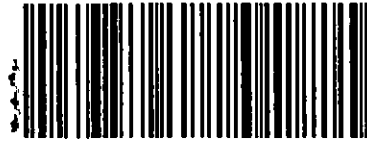
03/04/2019

US POSTAGE

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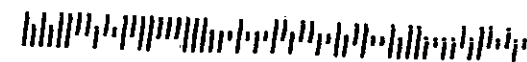


ZIP 45202
041L12203304



7194 5168 6310 0885 1209

03/04/2019 SUMMONS & COMPLAINT
WALMART INC
CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY STE 125
COLUMBUS OH 43219



COPY

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

TERESA BROWN
PLAINTIFF

Use below number on
all future pleadings

-- VS --

No. A 1901092
SUMMONS

WALMART INC
DEFENDANT

WALMART INC
CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY STE 125
COLUMBUS OH 43219

D - 1

You are notified
that you have been named Defendant(s) in a complaint filed by

TERESA BROWN
5904 MEYERS DRIVE
CINCINNATI OH 45215

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
AFTAB PUREVAL, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
MICHAEL D WEISENSEL
2215 ARBOR BLVD
MORaine OH 45439

AFTAB PUREVAL
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: March 4, 2019



D124707701



**AFTAB PUREVAL
HAMILTON COUNTY CLERK OF COURTS**

COMMON PLEAS DIVISION

**ELECTRONICALLY FILED
March 1, 2019 10:11 AM**

**AFTAB PUREVAL
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 822945**

TERESA BROWN

A 1901092

vs.

WALMART INC

**FILING TYPE: INITIAL FILING (IN COUNTY) WITH NO JURY
DEMAND**

PAGES FILED: 4

EFR200

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

TERESA BROWN
5904 Meyers Drive
Cincinnati, Ohio 45215

Plaintiff,

vs.

WALMART, INC.
8451 Colerain Avenue
Cincinnati, Ohio 45239

Please Serve Statutory Agent:
CT Corporation System
4400 Easton Commons Way
Suite 125
Columbus, Ohio 43219

and

OHIO DEPARTMENT OF MEDICAID
Please Serve:
Joseph McCandlish, Esq.
150 E. Gay Street, 21st Floor
Columbus, Ohio 43215

Defendants.

Case No.:

(Judge:)

COMPLAINT

Now comes Plaintiff, by and through counsel, and as and for her Complaint against Defendants states as follows:

1. Plaintiff Teresa Brown resides at 5904 Meyers Drive, Cincinnati, Hamilton County, Ohio 45215, and has so resided at all times relevant herein.
2. Defendant Walmart, Inc. is a corporation authorized to do business in Hamilton County Ohio with a store at 8451 Colerain Avenue, Cincinnati, Hamilton County, Ohio 45239.
3. All occurrences, which form the basis of this complaint, occurred within Hamilton County, Ohio.

COUNT ONE

4. Plaintiff incorporates by reference paragraphs one through three as though fully rewritten herein.

5. On or about July 6, 2018, Plaintiff Teresa Brown was a lawful invitee at Defendant Walmart, Inc.'s store at 8451 Colerain Avenue when a shelving unit slid and/or collapsed and struck her in the head.

6. Defendant Walmart, Inc. had a duty to Plaintiff and the public in general to maintain its premises in a safe condition and to warn its business invitees of latent or concealed defects, of which it knew or should have known.

7. Defendant Walmart, Inc. failed to make safe or warn the Plaintiff about a latent or concealed defect in their store which they knew or should have known existed.

8. Defendant Walmart, Inc. caused the dangerous condition with the shelf that slid and/or collapsed and injured the Plaintiff.

9. Defendant Walmart, Inc. breached their duties owed to Plaintiff Teresa Brown in that: (a) they knew or should have known the subject shelving was unsafe and dangerous and, (b) they failed to warn the Plaintiff and/or remedy the unsafe and dangerous shelving.

10. As a direct and proximate result of the Defendant Walmart Inc.'s negligence, Plaintiff Teresa Brown has sustained severe and permanent injuries and has incurred medical expenses and shall continue to incur medical expenses in the future with reasonable medical certainty; Plaintiff Teresa Brown has suffered lost wages and shall continue to do so in the future with reasonable certainty; and Plaintiff Teresa Brown has further sustained past pain and suffering and will continue to do so in the future with reasonable medical certainty.

COUNT TWO

11. Plaintiff hereby incorporates by reference paragraphs one through ten as though fully rewritten herein.

12. Plaintiff had health insurance with Defendant Ohio Department of Medicaid on the date of the above-described incident.

13. As a result of the above-described accident, Defendant Ohio Department of Medicaid should pay, did pay or may have paid some of Plaintiff Teresa Brown's medical bills from the instant accident.

14. Defendant Ohio Department of Medicaid is or may be subrogated to a portion of the Plaintiff's claims against Defendant Walmart, Inc. and should be required to continue to pay their obligation and/or assert their interests or otherwise be forever barred from doing so as to any party hereto.

15. Plaintiff demands that Ohio Department of Medicaid pay Plaintiff's medical bills and/or assert any interest said Defendant may have in the instant manner or otherwise be forever barred in doing so as to any party hereto.

WHEREFORE, Plaintiff Teresa Brown prays for judgment against Defendant Walmart, Inc. in an amount yet to be determined but in excess of Twenty-Five Thousand Dollars (\$25,000.00), as and for compensatory damages; Plaintiff Teresa Brown prays that Defendant Ohio Department of Medicaid be required to assert any interest said Defendant may have in the instant matter or otherwise be forever barred from doing so as to any party hereto; and Plaintiff Teresa Brown further prays for all relief to which she may be entitled at law and/or equity, including pre-judgment interest.

Respectfully submitted,



Michael D. Weisensel (0067660)
Attorney for Plaintiff
Law Offices of Blake R. Maislin, LLC
2215 Arbor Blvd.
Moraine, Ohio 45439
Telephone: (937) 444-4444
Fax: (937) 640-3042
mweisensel@maislinlaw.com

INSTRUCTIONS TO CLERK

Please serve the Complaint on all Defendant(s) at the addresses identified in the caption.



Michael D. Weisensel, Esq. (0067660)